



MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: Jennifer Steingasser, Deputy Director

DATE: September 25, 2008

SUBJECT: **Public Hearing Report** for Catholic University South Campus
ZC #08-24 and ZC #08-24A / 04-25
Consolidated Planned Unit Development, Related Map Amendment and Campus
Plan Amendment

I. SUMMARY RECOMMENDATION

The Office of Planning:

- **can recommend approval** of the consolidated PUD and related map amendment once the issues noted in this report have been addressed;
- **recommends approval** of the associated zoning relief, and recommends incorporating more landscaping along the east-west wall separating Block E from the adjacent homes;
- **recommends approval** of the proposed amendment to the Catholic University Campus Plan, to remove the subject properties from the Campus Plan;

The project, by Catholic University and Abdo Development, consisting of mixed use buildings and rowhouses, would not be inconsistent with the Comprehensive Plan, including the Brookland / CUA Metro Station Small Area Plan. The project would redevelop vacant and underutilized land near a metro station at a height contemplated by the planning for this area. The design also extends the street grid and the applicant would improve the alignment of existing intersections. The proposed amenities are commensurate with the amount of flexibility sought in the application. The campus plan amendment is in keeping with the existing and past versions of the campus plan which foresaw the removal of all university uses from this land and the property's eventual redevelopment. The Office of Planning (OP) recommendation, however, is conditioned upon the receipt of additional information and resolution of issues that are noted in the report and summarized in Attachment 1.

II. APPLICATION-IN-BRIEF

Location: Squares or portions of squares south of Michigan Ave., NE to Kearney Street, NE and generally between the CSX / Metro railroad tracks and the Dominican House of Studies. For a complete list of lots and squares, please see Attachment 2. Ward 5, ANC 5C.

Applicants: Catholic University and Abdo Development

Current Zoning: D / R-5-A, R-4, C-1, C-M-1

Property Size: 397,843 square feet (9.1 acres)

Proposal: Together with a related map amendment to C-2-B and R-5-B, construct mixed use buildings on vacant lots and lots currently used for Catholic University housing. The maximum height would be 70 feet. Total FAR would be 2.31, consisting of 784,191 square feet of residential floor area, 83,073 square feet of retail floor area and 51,018 square feet of artist studio, art flex space and service floor area.

Relief and Zoning: Pursuant to 11 DCMR Chapter 24, the application requires:

1. PUD-Related Map Amendment
2. Special Exception for number of rooftop structures (§411)
3. Variance for the setback of rooftop structures (§411)
4. Variance from side yard requirements (§775)
5. Variance from vehicular parking requirements (§2101)
6. Special Exception from the location of vehicular parking (§2116.5)
7. Variance from the location of bicycle parking (§2119.3)
8. Variance from loading requirements (§2201)
9. Special exception to allow more than one building on a single residentially-zoned record lot (§2516.1)
10. Variances to allow yards, FARs and lot occupancies on theoretical lots not meeting zoning requirements (§§2516.4 and 2516.5)
11. Variance to allow multiple buildings on a single commercially-zoned record lot not meeting yard requirements (§2517.2)
12. Proscriptive relief for detached garages on Block A2

III. SITE AND AREA DESCRIPTION

The subject site extends south from Michigan Avenue to Kearney Street and from the railroad tracks on the east to the Dominican House of Studies on the west. Seventh and Eighth Streets traverse portions of the site in a north-south direction. The site includes both vacant properties and properties with buildings to be vacated by Catholic University. The University intends to consolidate its operations north of Michigan Avenue. Not all lots in the area described are part of the application, including three single family detached houses at the northwest corner of 8th and Lawrence Streets and two commercial buildings between Michigan Avenue and Monroe Street. The site slopes down toward the railroad tracks and down from Monroe Street to Kearney Street. Each of the subject squares has some tree cover, and the portion of the site in square 3831 is wooded.

The site faces University property on the north side of Michigan Avenue including buildings, open space and parking. While not technically part of the University, the Basilica of the National Shrine of the Immaculate Conception is integrated into the campus to the northwest of the subject site. At the northeast corner of the subject site, a pedestrian underpass under Michigan Avenue connects this property to the western entrance of the Brookland metro stop.

The Dominican House of Studies to the west is a four story building with a recently completed three story wing. The new wing is parallel to Michigan Avenue and approaches the western boundary of the subject site.

To the south of the subject site is a mix of detached houses, rowhouses and small apartment buildings, and light-industrial, cultural and institutional uses along the railroad tracks. Across the tracks to the east is a mix of housing types, commercial buildings and the metro parking lot and bus loop. Monroe and Newton Streets, two of the major east-west streets in that neighborhood, slope slightly down to the west and provide views of the Basilica. Monroe Street and Michigan Avenue both have bridges over the railroad tracks and therefore go up in elevation as they cross the tracks.

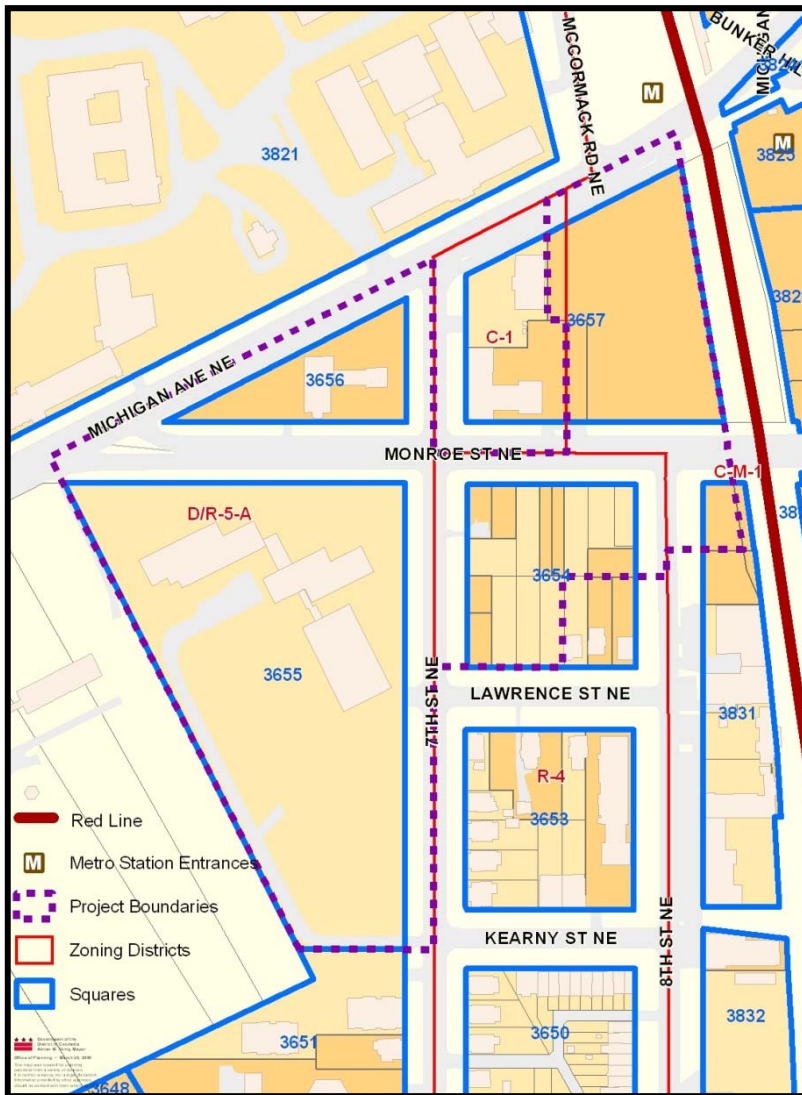
IV. PROJECT DESCRIPTION

The proposal consists of five mixed use buildings, an arts/flex space building and 45 rowhouses. The tallest buildings would be 70 feet tall and the overall FAR would be 2.31 with a total floor area of 918,282 square feet. The retail spaces, which would focus on Monroe Street, would total approximately 83,000 square feet. The

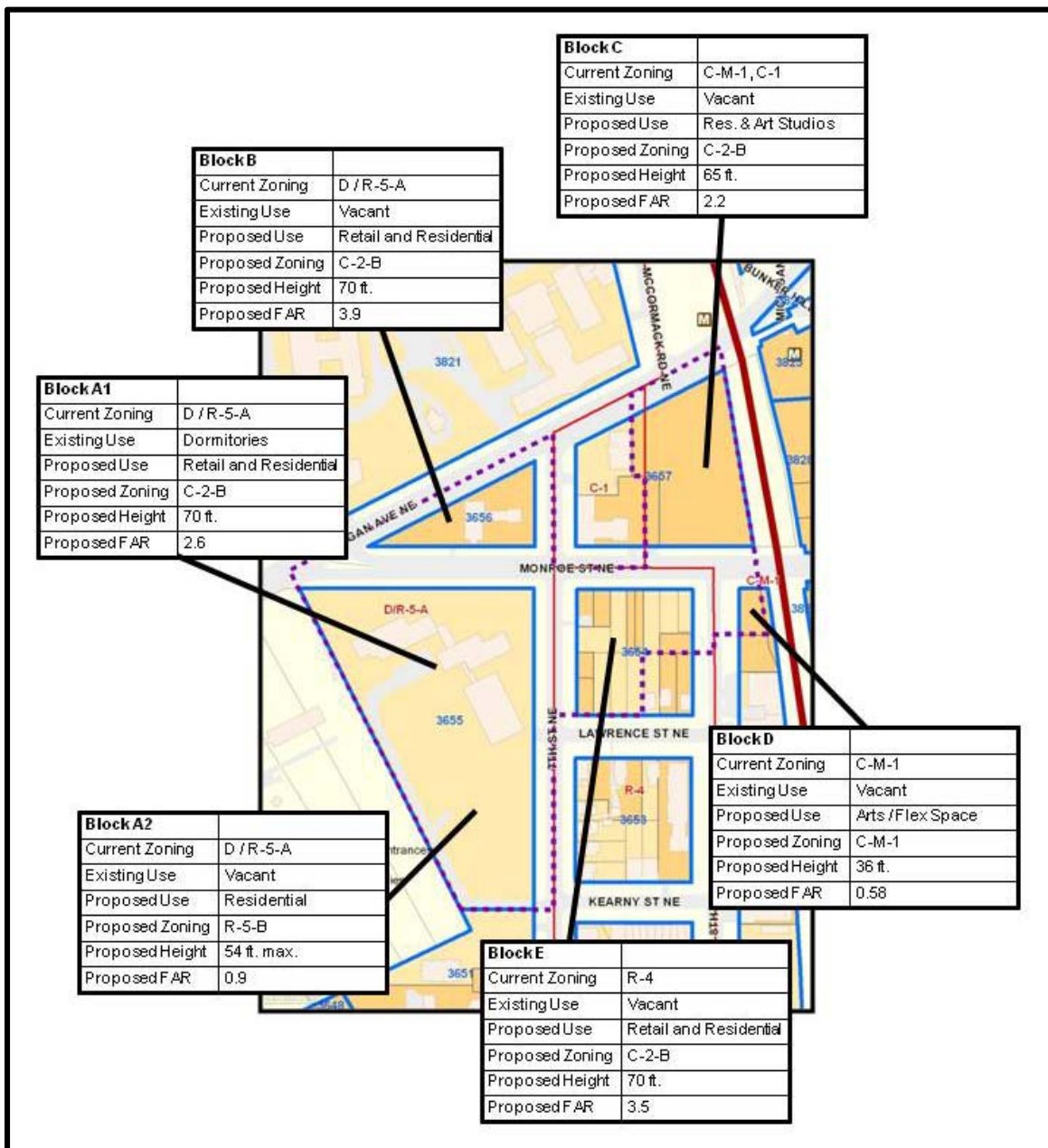
project would include 761 residential units totaling 784,191 square feet, of which about 63,000 square feet would be affordable. The July 10, 2009 written statement indicates that affordable units would be located in each of the mixed use buildings and on each floor, except for the top two floors (pg. 34), and that three rowhouses would also be affordable. The three affordable rowhouses should be distributed throughout the rowhouse block. Specifics about each building's intended use, height and density can be found in the graphic below.

Building Design

Three of the five mixed use buildings share a design aesthetic. The buildings in Blocks A1, B and E would use "brick and pre-cast elements," according to the applicant's written statement (pg. 12). All three buildings would have lighter-colored masonry at the top and bottom and



darker masonry in the middle of the facades. Retail facades could be customized to the preference of the lease holder. Portions of the facades would be recessed to create bays and a varied appearance along Monroe Street. The buildings would be capped by either mansard roofs or mansard-like facades. Buildings on Blocks A1 and E would step down toward nearby residential structures. Block A1 would step down to four stories on the southern side of the building, including the exposed G1 level and the first, second and third floors. Block E would step down from six stories to four when moving from north to south along 7th Street, though the first floor would be almost 20 feet tall.



Tower elements would be placed at prominent corners, including a clock tower at the corner of Monroe and Michigan. The clock tower, together with the proposed plaza at the same corner, are intended to form a focal point and public gathering spot at the western terminus of Monroe Street. Along Monroe Street the building facades for Blocks A1, B, C and E would be set back at points from the property line in order to provide additional space for pedestrian movement and outdoor retail. Elevation drawings of some of the buildings seem to include balconies. Written correspondence from the applicant to OP states that all balconies would have a usable depth of five to eight feet, despite the plans labeling some features as “decorative railings”. OP encourages the provision of private balconies and terraces for a large percentage of the residential units. OP also recommends that the plans be refined so that all features of the buildings are clearly depicted, including all projections. The application proposes to make improvements to the public space (Plan Set, pp. 89-97), but does not propose to place utility lines underground (Plan Set, elevation drawings).

Block A1

Within Block A1, units would have doors that face the extended Lawrence Street on the garage level of the building. OP encourages activated building fronts, including on non-retail building facades. The rowhouse-like entrances would encourage resident and pedestrian activity in conjunction with the rowhouses in Block A2. However, like the lack of clarity in the plans mentioned above, the plans are internally inconsistent regarding the ground floor units. OP continues to recommend, as stated in the March 17, 2009 Setdown Report, that the floor plan on Sheet 35, which shows mostly single doors, front stoops, and a clear sense of being the front of the unit, be reconciled with the elevation drawing on Sheet 32, which shows all double, or perhaps sliding doors that convey more of a sense of being at the back of the residential unit. OP recommends that the plans be revised to be internally consistent and be refined so that all features of the buildings are clearly depicted.

Block C

The two mixed use buildings on Block C would have a much simpler warehouse-like design. Most of the ground floors of these buildings would be devoted to artist studio spaces. These rentable work areas would have roll-up doors to allow artists to display their works on the proposed “arts walk” – a pedestrian-only extension of 8th Street. More typical retail would front the Monroe Street side of the buildings and residential units would be located on upper floors. A plaza at the north end of the arts walk would be denoted by a proposed signage tower.

Block D

The arts/flex space in Block D would also be constructed with an industrial simplicity. The open floor plan of the space could be used by student groups, for art exhibits or for community meetings.

Block A2

Block A2 would consist of 45 rowhouses. The units would be either three or four stories and would have a maximum height of approximately 54 feet. Rowhouses would have brick facades. Some would have rear yards while others would have integral garages. The extensions of Kearney and Lawrence Streets would be private streets, rather than dedicated right-of-way. The Office of Planning recommends that the Commission grant prospective relief to homeowners to allow them to construct detached garages meeting certain criteria. More details about this proposal is presented in Section VIII below.

Parking and Loading

Since the Setdown meeting, the applicant has committed to an increase in the amount of bicycle parking on the site. A total of 190 bike parking spaces are now proposed, with 50 of those dedicated to retail customers. Relief to provide all of those retail bike spaces in Block A1 is necessary. As described later in this report, OP supports that relief, but also encourages the applicant to incorporate street level bike racks into their public space design.

The project design proposes a total of 853 parking spaces. The applicant proposes to house all 190 retail parking spaces in the Block A1 parking garage, rather than scattered among all buildings with retail uses. 642 residential parking spaces for 761 units results in an overall ratio of 0.84 spaces per unit, though individual buildings have higher or lower ratios. On the high end, Blocks B and E both have parking ratios of 1.1 spaces per residential unit. Because this development would be adjacent to numerous transit options and along the Metropolitan Branch Trail, a major bike and pedestrian path, the parking ratios should be reduced. Please refer to the Zoning analysis (Section VIII of this report) and the Zoning Tables (Attachment 3) for complete information.

Parking garages and loading will be accessed from 7th Street for Blocks A1 and B, 8th Street for Block E, and from a private alley for Block C. On Block C the applicant proposes to consolidate loading and trash removal functions in the western building. Deliveries for the eastern building would be made at the loading dock on the western building and carried or rolled across to the eastern building. The same would be true for residential deliveries and moving vans. Trash for the eastern building is collected in the trash rooms near the elevator, then removed to the western building when appropriate. The applicant should provide truck turning diagrams showing how trucks access both the north and south loading docks on Block C. A diagram submitted to OP showed a truck incorrectly pulling head first into the southern loading dock, similar to the orientation shown on Page 53 of the plan set. No diagrams were submitted for the north loading dock. Also on Block C, the ramp into the parking garage makes two right-angled turns. This configuration, though sometimes necessary, can be dangerous for drivers. The applicant should indicate on the plans where mirrors will be located to assist drivers navigating around the sharp corners.

Environmental Design

Page 86 of the plan set provides a LEED for Homes checklist for Blocks A1, A2, B and E. Based on that system the application would achieve a Certified level for those four buildings. The applicant has submitted to OP LEED checklists for Blocks C and D that indicate that those buildings would also achieve the equivalent of a Certified level. In the setdown report OP recommended that green roofs be incorporated into the design, but the applicant stated in correspondence with OP that it is not structurally or economically feasible to do so.

Campus Plan Amendment

Application number 08-24A / 04-25 proposes to remove the subject property from the Catholic University Campus Plan. The current campus plan dates to 2002 (ZC #02-20), but even the 1992 plan anticipated the consolidation of University functions on the main campus north of Michigan Avenue. The 2002 plan puts it explicitly: “The south campus, because of its separation from the main campus by Michigan Avenue, will continue to be slowly phased out as a student housing area, and reserved for cooperative ventures between the University and other appropriate organizations” (2002 Campus Plan, §4.2). Bringing all residences and other functions onto the Main Campus would increase walkability and safety for students. The entire campus at present is 193 acres. Removal of the area subject to the proposed PUD would leave just over 184 acres. According to page 6 of the July 10, 2009 written statement, removal of the subject properties would increase the University’s FAR from 0.34 to 0.36. The Office of Planning recommends approval of the Campus Plan Amendment.

V. COMPREHENSIVE PLAN POLICIES

The proposal would further the following Guiding Principles of the Comprehensive Plan, as outlined and detailed in Chapter 2, the Framework Element:

- (1) Change in the District of Columbia is both inevitable and desirable. The key is to manage change in ways that protect the positive aspects of life in the city and reduce negatives such as poverty, crime, and homelessness. 217.1
- (6) Redevelopment and infill opportunities along corridors and near transit stations will be an important component of reinvigorating and enhancing our neighborhoods. Development on such sites must not compromise the integrity of stable neighborhoods and must be designed to respect the broader community context. Adequate infrastructure capacity should be ensured as growth occurs. 217.6
- (7) Growth in the District benefits not only District residents, but the region as well. By accommodating a larger number of jobs and residents, we can create the critical mass needed to support new services, sustain public transit, and improve regional environmental quality. 217.7

- (10) The recent housing boom has triggered a crisis of affordability in the city, creating a hardship for many District residents and changing the character of neighborhoods. The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid a deepening of racial and economic divides in the city. Affordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively. 218.3
- (13) Enhanced public safety is one of the District's highest priorities and is vital to the health of our neighborhoods.... 218.6
- (26) Transportation facilities, including streets, bridges, transit, sidewalks, and paths, provide access to land and they provide mobility for residents and others. Investments in the transportation network must be balanced to serve local access needs for pedestrians, bicyclists, transit users, autos and delivery trucks as well as the needs of residents and others to move around and through the city. 220.2
- (27) Washington's wide avenues are a lasting legacy of the 1791 L'Enfant Plan and are still one of the city's most distinctive features. The "great streets" of the city should be reinforced as an element of Washington's design through transportation, streetscape, and economic development programs. 220.3
- (30) Residents are connected by places of "common ground," such as Union Station and Eastern Market. Such public gathering places should be protected, and should be created in all parts of the city as development and change occurs. 220.6

As detailed in the March 17, 2009 Office of Planning Setdown Report, the application is also consistent with major policies from various elements of the Comprehensive Plan, including the Land Use Element, the Transportation Element, the Housing Element, the Arts and Culture Element and the Upper Northeast Area Element.

VI. COMPREHENSIVE PLAN LAND USE MAPS

The Comprehensive Plan's Generalized Policy Map describes portions of the subject site either as a Land Use Change Area, a Neighborhood Conservation Area or an Institutional Area. The Future Land Use Map indicates that several different uses would be appropriate on this site, including moderate density mixed use residential and commercial; moderate density residential; institutional; and production and technical employment. The Brookland / CUA Metro Station Small Area Plan refined the vision for this area.

VII. BROOKLAND / CUA METRO STATION SMALL AREA PLAN

On March 3, 2009 Council adopted the Brookland / CUA Metro Station Small Area Plan (Brookland Plan). In addition to guiding principles applicable to the entire study area, the Brookland Plan gives more specific direction to five different sub-areas. The subject site falls

entirely within the Monroe Street Sub-Area. Development in this sub-area should make Monroe Street an active, tree-lined connection from east to west through the neighborhood while reinforcing the intersections with 12th Street and Michigan Avenue as anchor points (Brookland Plan, pg. 45). An image taken from the Plan and reproduced below shows a conceptual plan for the sub-area based on the Plan policies.



The Monroe Street Sub-Area of the Brookland Plan and one illustrative potential build-out scenario.

Several sub-area policy recommendations, summarized below, apply to development of the subject site. Listed numbers refer to the specific recommendations, which can be found on pages 45 and 46 of the Brookland Plan.

- 1 and 2 – Realign Monroe and 7th Streets to form improved intersection alignments with Michigan Avenue.
- 3 – Extend 8th Street north of Monroe Street – either as a vehicular or pedestrian street – in order to improve connectivity.
- 4 – Develop a mix of uses along Monroe Street west of the tracks with community-serving retail, residential, cultural uses and public spaces.
- 5 – Provide adequate parking but at low transit-oriented development parking ratios.
- 6 – Development along Monroe Street west of the tracks may be allowed up to 6 stories or a maximum 70 feet through a PUD... Building heights should taper down to transition to adjacent lower scale residential structures.
- 9 – Buildings in the sub-area should step back in height at a ratio of one half (1/2) to one above 50 feet. For example, for every 10 feet in height above 50 feet, the building façade should step back 5 feet from the building edge.
- 10 – Coordinate a retail strategy to encourage complimentary retail and businesses for both 12th and Monroe Streets.

- 11 – Create a large civic / open space as part of a new development along Monroe Street west of the tracks.

Recommendations 6 and 9, which deal with building height and bulk, were developed in response to concerns about views to the Basilica and concern about relationships between new and existing buildings (Brookland Plan, pg. 39). The application includes several photo simulations which show views toward the Basilica (Plan Set, pp. 80-84). The image on Page 80 indicates that the rooftop structures on Blocks B and C would be highly visible from farther east on Monroe Street. The applicant has indicated in correspondence with OP that those structures will be clad with fiber cement panels. The applicant should provide more information about the appearance and visibility of the rooftop structures.

In order to assess the relationship of the proposed buildings to nearby buildings, the plan set includes images from a 3-D computer model of the neighborhood (Plan Set, pg. 79). On September 15 the applicant also submitted to the record additional photo simulations, elevations and other drawings to better indicate the relationship of Block E to its immediate neighbors on Lawrence Street.

In the July 10, 2009 written statement, the applicant indicates that they “will engage a retail consultant to prepare a coordinated retail strategy that will look at the best mix and allocation of retail uses between 12th Street and Monroe Street...” (pg. 10). This commitment would seem to achieve the goal of Recommendation 10. Although the applicant states that they will not prepare the strategy for a few years, it should still be of benefit when presented to the community at that time. Tying the report to a building permit for a final-phase building should ensure that it is completed, and OP recommends that that relationship be formalized in the Order, should this application be approved.

A long-range goal of the plan is the relocation of the metro entrances to be in line with the Newton Street right-of-way (Brookland Plan, pg. 44, Recommendation 11). The applicant’s written statement indicates that this goal would not be hindered by the design of Block C (Written Statement, pg. 28). The design of the project fulfills another goal of the plan which is to extend Lawrence and Kearney Streets west of 7th Street (ibid., pg. 39, text).

VIII. ZONING

The site is currently zoned D / R-5-A, R-4, C-1 and C-M-1. One of the subject squares would remain C-M-1, but the zoning for the remainder of the site would be amended, through a PUD-related map amendment, to C-2-B and R-5-B. The total site area is 397,843 square feet, large enough to request a PUD in R-5-A zone. For a complete list of squares and lots and their existing and proposed zoning, please see Attachment 2. For a complete analysis of project parameters against zoning requirements please see Attachment 3. The proposal requires a map amendment and relief from the specific zoning regulations described below.

1. PUD-Related Map Amendment

The height and density permitted by the C-2-B PUD and R-5-B PUD regulations is necessary if the project is to be constructed as proposed. A PUD in the C-2-B zone can have a maximum height of 90 feet and a maximum FAR of 6.0. The overall PUD would have an FAR of 2.31, and individual buildings would have a maximum height of 70 feet and a maximum FAR of 4.0. The area of rowhouses that is proposed to be zoned R-5-B would have an gross FAR of 0.9 and a maximum height of 54 feet. Removing the private streets from the density calculation would give an FAR of 1.7. These measurements fall within the R-5-B PUD maximums of 3.0 FAR and 60 feet. The Office of Planning does not object to the PUD-related map amendment.

2. Special Exception for number of rooftop structures (§411)

The application requests relief from the number of rooftop structures, a special exception under §411. An examination of Page 29 of the plan set, the Overall Roof Plan, indicates that all of the mixed use buildings have multiple rooftop structures. Exact locations and dimensions of the structures can be seen on the individual building plans on Pages 34 through 69. OP does not object to the requested relief as it results in less visual mass on the roof of each building.

3. Variance for the setback of rooftop structures (§411)

The application requests relief from the setback of rooftop structures, a variance under §411. An examination of the roof plans found between Pages 34 and 69 of the plan set indicates that setback relief is required for several structures on the mixed use buildings. In some cases, the rooftop structures are located closer to the edge of the building than required because of the narrowness of a residential bar of the building. This is true on the western edge of Block A1. In other cases, the site itself is so narrow, such as on Block B, that the rooftop structure, although located in the middle of the building, still does not meet the one-to-one setback. In other cases the floor plans are designed to create usable ground floor spaces which then govern the location of the elevator cores. The Office of Planning does not object to the requested relief.

4. Variance from side yard requirements (§775)

Block E has side yards that face the adjacent properties along Lawrence Street. These yards have a minimum dimension of 9'4" where a yard of 11'8" is required. In this case the yard is measured from the property line to the north-south retaining wall next to the pool and the east-west wall next to the parking garage ramp. The main bulk of the building is recessed further way from adjacent properties. On September 15 the applicant submitted supplemental materials that better describe the landscaping and design features on these façades of the building. OP appreciates the landscaping proposed for the north-south wall, and recommends that similar landscaping be applied to the east-west wall. OP has no objection to the requested relief.

5. Variance from vehicular parking requirements (§2101)

The building on Block D is considered a place of public assembly for parking calculation purposes. Under that definition it would require 30 parking spaces based on its 2,081 square feet of useable floor area. The design proposes four parking spaces. OP feels that this number is appropriate since the principal users of the facility will be from the immediate neighborhood including full-time residents and members of the university community. Furthermore, the facility is across the street from the metro station and bus stops, and next to the Metropolitan Branch Trail. OP does not object to the requested parking relief.

6. Special Exception from the location of vehicular parking (§2116.5)

The application proposes to locate all 190 retail vehicular parking spaces in the garage on Block A1. Relief is therefore required to locate retail parking for Blocks B, C and E offsite. OP does not object to the proposed location of vehicular parking as it would minimize traffic circulation around the neighborhood. Also, one single parking garage can make marketing the facility easier and decrease the likelihood of retail visitors parking on the street.

7. Variance from the location of bicycle parking (§2119.3)

This section requires that bicycle parking spaces “have convenient access from the building or structure and street or other bicycle right-of-way...” The applicant proposes to place all retail bicycle parking in block A1. OP does not object to bike parking requirements being fulfilled in Block A1, but does encourage the applicant to incorporate bike parking into their public space plans near all buildings.

8. Variance from loading requirements (§2201)

The application requires relief from the retail loading requirements for Blocks A1, B and E. Details of the loading requirements and the amount provided for each building can be found in Attachment 3. This application does not contain justification for why loading should be reduced, but previous studies have shown that excessive numbers of loading bays are not required for mixed use projects. It has also been noted in the past that most deliveries are not made by tractor-trailer trucks, but rather by shorter trucks that can use smaller berths. OP does not object to the required relief.

9. Special exception to allow more than one building on a single residentially-zoned record lot (§2516.1)

2516.1 *If approved by the Board of Zoning Adjustment as a special exception under §3104, two (2) or more principal buildings or structures may be erected on a single subdivided lot, subject to the provisions of this section.*

Section 2516 allows, in a residential zone, two or more principal buildings to be erected on a single record lot if approved by the Commission. The application seeks this relief in order to

construct the rowhouses on Block A2. Many of the lots will front on private streets, but relief under this section will allow them to be subdivided into tax lots that can then be sold on a fee-simple basis. The underlying land will remain one record lot. Section 2516.4 states that all zoning requirements such as use, height, bulk and open spaces be met for each building on the property. Variance relief from that section is analyzed below. OP does not object to the requested special exception. The development form proposed by the applicant is reminiscent of traditional rowhouse blocks in DC. The arrangement of the units creates some lots with varied size rear yards and some with no rear yards. This variety is not uncommon in older neighborhoods.

10. Variances to allow yards, FARs and lot occupancies on theoretical lots not meeting zoning requirements (§§2516.4 and 2516.5)

2516.4 *The number of principal buildings permitted by this section shall not be limited; provided, that the applicant for a permit to build submits satisfactory evidence that all the requirements of this chapter (such as use, height, bulk, open spaces around each building, and limitations on structures on alley lots pursuant to §2507), and §§3202.2 and 3202.3 are met.*

2516.5 *If a principal building has no street frontage, as determined by dividing the subdivided lot into theoretical building sites for each principal building, the following provisions shall apply:*

- (a) *The front of the building shall be the side upon which the principal entrance is located;*
- (b) *Open space in front of the entrance shall be required that is equivalent ... to the required rear yard in the zone district in which the building is located...*

In order to create a theoretical subdivision, §2516.4 states that all the theoretical lots must meet normal requirements for yards, FAR and lot occupancy. In addition, §2516.5 states that if a theoretical lot does not front on a street, an open space in front of the rowhouse entrance must be provided that is equivalent to the required rear yard. In the Zoning Regulations, a street is defined as a public right-of-way, so the rowhouses fronting on the proposed private street would be required to provide front yards. The proposed design requires relief from these sections. Pages 11 and 12 of the plan set display data for each rowhouse lot and highlight those areas that need relief. In addition to the highlighted relief, OP also notes that lots 18 through 45 require front yard relief. As noted above, the design is similar to a traditional DC rowhouse neighborhood. The areas of relief requested would not result in negative impacts to any neighbors. OP does not object to the required relief.

11. Variance to allow multiple buildings on a single commercially-zoned record lot not meeting yard requirements (§2517.2)

- 2517.1 *This section shall permit two (2) or more principal buildings or structures to be erected as a matter of right on a single subdivided lot that is not located in, or within twenty five feet (25 ft.) of, a Residence District.*
- 2517.2 *The number of principal buildings permitted by this section shall not be limited; provided, that the applicant for a permit to build submits satisfactory evidence that all the requirements of this chapter (such as use, height, bulk, and open spaces around each building), as provided by §§3202.2 and 3202.3 are met.*

Section 2517 allows, in a commercial zone, two or more principal buildings to be erected on a single lot as a matter-of-right, as long as all buildings meet the yard and bulk requirements found elsewhere in the Zoning Regulations. In this case the eastern building in Block C does not meet side yard requirements. The required side yard is 10'10", and the applicant is providing a 10' side yard on the east side. The Office of Planning does not object to the requested relief. The degree of variance is extremely slight. In addition, the side yard in question faces the railroad tracks, so does not impact an adjacent property owner. Moreover, the yard is measured between the property line and the porches on that side of the building; The main face of the building is further recessed from the property line.

12. Proscriptive relief for detached garages on Block A2

The Office of Planning recommends that the Commission prospectively grant relief to certain lots within Block A2 to allow future homeowners to construct detached garages without pursuing additional zoning relief. The lots in question would be 7 – 15, 24 – 30 and 41 – 45. These are the lots that could accommodate a 25 foot deep garage and still have 10 or more feet between their house and the garage. Garages would need to meet the following criteria:

| | |
|-----------------------------------|-------------------------------|
| Maximum width | Equal to the width of the lot |
| Maximum depth | 25 feet |
| Maximum footprint | 450 square feet |
| Total lot occupancy (incl. house) | No more than 80% |
| Maximum height | 15 feet and 1 story |
| Location | Touching rear property line |
| Materials | No concrete block |

This approach would save time and effort for homeowners who, when seeing a parking pad, may prefer a garage. The standards proposed would ensure that each property would still have usable outdoor open space and that light and air to the unit in question and their neighbors would not be unduly impacted.

IX. PURPOSE AND EVALUATION STANDARDS OF A PUD

The purpose and standards for Planned Unit Developments are outlined in 11 DCMR, Chapter 24. The PUD process is “designed to encourage high quality developments that provide public

benefits.” Through the flexibility of the PUD process, a development that provides amenity to the surrounding neighborhood can be achieved.

The application exceeds the minimum site area requirements of Section 2401.1(c) to request a PUD. The applicant is requesting a consolidated PUD and a related map amendment. The PUD standards state that the “impact of the project on the surrounding area and upon the operations of city services and facilities shall not be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project” (§2403.3). Based on the information provided in the application and the comments received from city agencies, OP believes that the project will have an overall positive impact on the neighborhood and the District. The project’s impact on city services will not be unacceptable and is capable of being mitigated. The project will provide a mix of uses, utilize land near a metro station, promote the arts, provide meeting space for community organizations and enhance pedestrian mobility throughout the site and especially near the metro. Sub-standard, aging water infrastructure will be replaced and problematic intersections will be improved as a result of the development.

X. PUBLIC BENEFITS AND AMENITIES

Sections 2403.5 – 2403.13 of the Zoning Regulations discuss the definition and evaluation of public benefits and amenities. In its review of a PUD application, §2403.8 states that “the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.” Sections 2403.9 and 2403.10 state that a project must be acceptable in all the listed proffer categories, and must be superior in many. To assist in the evaluation, the applicant is required to describe amenities and benefits, and to “show how the public benefits offered are superior in quality and quantity to typical development of the type proposed...” (§2403.12).

Evaluation of benefits and amenities is partially based on an assessment of the additional development gained through the application process. In this case, the application proposes a PUD-related map amendment to C-2-B and R-5-B with a maximum building height of 70 feet and an overall FAR of 2.31. The applicant would gain 30 feet in height as well as a broad range of commercial and residential uses that are not available under current zoning. OP estimates that the applicant gains about 340,000 square feet of floor area, or about 0.85 FAR, through the PUD process. The matter-of-right heights and densities for the existing zone districts are listed in the table below, as well as heights and densities in the proposed zones.

| Zone | MOR Height | MOR Density (FAR) | Proposed Height | Proposed FAR |
|-------------|-------------------|--------------------------|------------------------|---------------------|
| R-4 | 40 ft., 3 stories | n/a | - | - |
| D / R-5-A | 40 ft., 3 stories | 0.9 | - | - |
| C-1 | 40 ft., 3 stories | 1.0 | - | - |
| C-M-1 | 40 ft., 3 stories | 3.0 | 36 ft., 2 stories | 0.58 |
| C-2-B PUD | - | - | 70 ft. | 2.78 |
| R-5-B PUD | - | - | 40 ft. | 0.90 |

OP feels that the application presents a number of amenities:

1. *Affordable Artist Work Space* – Page 38 of the written statement indicates that the work spaces in Block C will be leased to artists at below-market rents. The Cultural Development Corporation, a non-profit serving the needs of artists in DC, will rent, operate and manage the units. The written statement does not specify the degree of subsidy, but says that the studios will be leased at “significantly” reduced rates (Written Statement, pg. 16).
2. *Promotion of the Arts and Arts Related Organizations* – The application cites the provision of the building in Block D as an amenity for the community. The building would be available for free to ANCs 5A and 5C, for a “nominal fee” for other community groups, and “at published rates” for “family-oriented uses such as fitness, Gymboree, or yoga classes” (ibid, pg. 19).
3. *Urban Design* – The application posits that the arts walk, piazza at the northern end of the arts walk and the public square at Monroe and Michigan constitute amenities as they create publicly accessible open spaces and gathering spots for the neighborhood. In addition, the creation of a pedestrian connection to metro via the arts walk will greatly enhance mobility for the neighborhood. The applicant will also enhance the underpass of the Michigan Avenue bridge which connects their property to the metro entrance (Written Statement, pg. 38).
4. *Efficient Land Utilization* – Per §2403.9(b), “efficient and economical land utilization” may be considered an amenity item. In this case, the applicant proposes a transit oriented development (TOD) on vacant or underutilized land next to a metro station.
5. *Transportation Construction* – The applicant will reconstruct the intersections of 7th Street and Michigan Avenue and Monroe Street and Michigan Avenue. Seventh Street would be realigned with the entrance to Catholic University on the north side of Michigan Avenue. Reconstruction of the Monroe and Michigan intersection would involve creating a T intersection with Monroe terminating at Michigan. The improvements, which would enhance pedestrian and vehicular safety, would also require the dedication of some right-of-way.
6. *Transportation Demand Management (TDM)* – The applicant’s transportation consultant has recommended a number of TDM measures including the designation of a Transportation Management Coordinator, provision of SmarTrip cards for new residents and the provision of car sharing parking spaces in the public portion of the Block A1 parking garage.
7. *First Source Employment Agreement* – The applicant has proffered that they will execute a First Source Employment Agreement with the Department of Employment Services.

8. *Other Community Contributions* – The applicant has proffered a variety of contributions to community organizations and neighborhood improvement efforts. The contributions, which would total \$250,000, include:
- a. Aesthetic improvements to the Monroe Street Bridge;
 - b. A contribution to the 12th Street Retail Façade Grant Program;
 - c. The retail study mentioned elsewhere in this report;
 - d. A Catholic University Ward 5 scholarship;
 - e. Installation of a “sprung floor” in Building D so that Dance Place can use the facility for recitals and other programs, and a contribution to Dance Place’s Next Generation Youth Program;
 - f. A contribution to the Luke C. Moore Academy.

The Office of Planning feels that the proposed benefits and amenities are commensurate with the amount of relief and flexibility proposed by the application. OP also finds that the proffered amenities are acceptable in all categories listed in §2403.9 and superior in many.

XI. AGENCY REFERRALS

The Office of Planning received comments on this application from the DC Water and Sewer Authority (WASA), the Department of Housing and Community Development (DHCD) and the Fire and Emergency Medical Services Department (FEMS). Those comments can be found in Attachment 4. WASA notes that a number of pieces of water pipe will need to be replaced or upgraded to properly serve the development. Sewer capacity is sufficient to serve the property. WASA will examine the infrastructure plans in more detail at the time of public space review and building permit. DHCD recommends approval of the project and has no concerns with the proposal. FEMS states that the design should provide adequate access and clearance for emergency vehicles. The applicant stated that they will contact FEMS to further discuss those issues.

OP also sent unanswered requests for comments to the Department of the Environment (DDOE), the Department of Transportation (DDOT), the Department of Parks and Recreation (DPR), the Department of Public Works (DPW), the DC Public Schools (DCPS) and the Metropolitan Police Department (MPD).

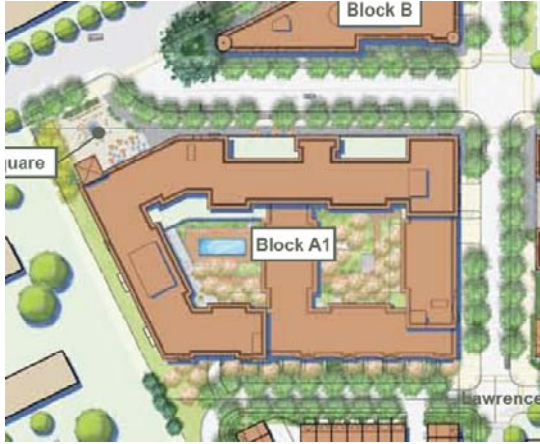


XII. COMMUNITY COMMENTS




The site is located in ANC 5C. As of the date of this report, OP has not received a report from the ANC and is not aware of any comments in favor or in opposition to the project.

Attachment 1
Summary of Information or Changes Required in this Report

1. Distribute three affordable rowhouses throughout block A2 (cited on page 3 of the report);
2. Refine the plans so that all features of the buildings are clearly depicted, including all projections (pg. 5);
3. Generally, make plans internally consistent; Specifically, reconcile Sheet 32 and Sheet 35 of the plan set regarding the ground floor units in Block A1 (pg. 5);
4. Reduce the parking ratios on Blocks B and E (pg. 6);
5. Provide correct truck turning diagrams for both loading docks on Block C (pg. 6);
6. Show on the plans all safety mirrors for the Block C parking garage ramp (pg. 6);
7. Provide more information about the appearance and visibility of the rooftop structures on Blocks B and C (pg. 10);

Attachment 2
Squares, Lots, Current Zoning, Proposed Zoning

| Square | Lot | Current Zoning | Proposed Zoning | Proposed Development Image |
|---------------|------------|-----------------------|------------------------|--|
| 3655 | 1 | D / R-5-A | C-2-B (north) |  |
| | | | R-5-B (south) |  |
| 3656 | 800 | D / R-5-A | C-2-B |  |

| Square | Lot | Current Zoning | Proposed Zoning | Proposed Development Image |
|--------|--|----------------|-----------------|--|
| 3657 | 805, 826 | C-M-1 | C-2-B |  |
| | 821 | C-1 | C-2-B | |
| 3831 | 818 | C-M-1 | C-M-1 |  |
| 3654 | 4 – 6, 10, 12, 15, 16, 17, 801 – 806, 811 | R-4 | C-2-B |  |

ATTACHMENT 3 – ZONING TABLES

| | | | | | Block A1 | | Block B | |
|-------------|----------------|--|----------------|---|---|---|--|---|
| Item | Section | D / R-5-A MOR | Section | C-2-B PUD | Proposed | Relief | Proposed | Relief |
| Site Area | | | | | 136,746 sf | n/a | 31,560 sf | n/a |
| Res. FA | | | | | 293,160 sf | n/a | 106,980 sf | n/a |
| Retail FA | | | | | 30,130 sf | | 16,390 sf | |
| Other FA | | | | | 32,990 sf | | 0 sf | |
| Total FA | | | | | 356,280 sf | | 123,370 sf | |
| Res. Units | | | | | 308 | n/a | 100 | n/a |
| Height | 400 | 40 ft., 3 stories | 2405.1 | 90 ft. | 70 ft., 5 stories | Conforming | 70 ft., 6 stories | Conforming |
| FAR | 402 | 0.9 | 2405.2 | 6.0 max. (2.0 max non-res.) | 2.1 res. 0.5 non-res. 2.6 total | Conforming | 3.4 res. 0.5 non-res. 3.9 total | Conforming |
| Lot Occ. | 403 | 40% | 772 | 80% (for res. floors) | 75% 102,600 sf | Conforming | 66% 20,870 sf | Conforming |
| Rear Yard | 404 | 20 ft. | 774 | 15 ft. | 43 ft. (to southern property line) | Conforming | 42 ft. (to CL of Monroe St. per 774.11) | Conforming |
| Side Yard | 405 | If provided, 3 in. / ft. of height; not less than 8 ft. | 775 | If provided, 2 in. / ft. of height; not less than 6 ft. | 13'8" (11'8" req'd) | Conforming | None provided | Conforming |
| Courts | 406 | 4 in. / ft. of height; not less than 10 ft. | 776 | 4 in. / ft. of height; not less than 15 ft. | Various | Conforming | Various | Conforming |
| Parking | 2101 | Residential 1 / du. Retail n/a Bike no requirement | 2101 | Residential 0.33 / du. Retail 1 / 750 sf above 3,000 Bike 5% of retail auto req. | 204 Res. (0.66/du.) 190 Retail 394 Total 50 Res. Bike 50 Retail Bike | Requested to locate all ret. parking in block A1. Conforming for Bike | 112 Res. (1.1/du.) 0 Retail 112 Total 20 Bike | Requested to locate all ret. parking in block A1. Conforming for Bike |
| Loading | 2201 | Res. 1 55 ft. berth 1 200 sf platform 1 20 ft. space Retail n/a | 2201 | Res. 1 55 ft. berth 1 200 sf platform 1 20 ft. space Retail Various requirements | Residential 1 55 ft. berth 1 200 sf platform 1 20 ft. space Retail 1 30 ft. berth 1 100 sf platform | Conforming Required | Res. 1 55 ft. berth 1 200 sf platform 1 20 ft. space Retail none | Conforming Required |

| | | | Block D | | | | Block C | |
|-------------|----------------|--|--|--|----------------|---|--|--|
| Item | Section | C-M-1* | Proposed | Relief | Section | C-2-B PUD | Proposed | Relief |
| Site Area | | | 5,169 sf | n/a | | | 78,578 sf | n/a |
| Res. FA | | | 0 sf | n/a | | | 140,747 sf | n/a |
| Retail FA | | | 0 sf | | | | 13,453 sf | |
| Other FA | | | 3,003 sf | | | | 15,100 sf (art. studios) | |
| Total FA | | | 3,003 sf | | | | 169,300 sf | |
| Res. Units | | | 0 | n/a | | | 152 | n/a |
| Height | 840 | 40', 3 stories | 36', 2 stories | Conforming | 2405.1 | 90 ft. | 65', 5 stories | Conforming |
| FAR | 841 | 3.0 | 0.58 | Conforming | 2405.2 | 6.0 max. (2.0 max non-res.) | 1.8 res. 0.4 non-res. 2.2 total | Conforming |
| Lot Occ. | n/a | | 56% 2,882 sf | n/a | 772 | 80% (for res. floors) | 43% 33,590 sf | Conforming |
| Rear Yard | 842 | 2.5 in. / ft. of height; not less than 12 ft. | 40' | Conforming | 774 | 15 ft. | 43'2" min. | Conforming |
| Side Yard | 843 | not req'd | none | Conforming | 775 | If provided, 2 in. / ft. of height; not less than 6 ft. | 10' min. (10'10" req'd) | Required |
| Courts | 844 | 2.5 in. / ft. of height; not less than 6 ft. | None | Conforming | 776 | 4 in. / ft. of height; not less than 15 ft. | 40' court width (24'4" req'd) | Conforming |
| Parking | 2101 | Res. n/a Retail 1 / 300 sf above 3,000 Place of public assembly 1 / 10 seats (7sf = 1 seat) Bike 5% of retail, service, office req. | 4 spaces (30 req'd based on 2,081 sf of useable area) No bike parking provided | Required Conforming for Bike | 2101 | Residential 0.33 / du. Retail 1 / 750 sf above 3,000 Artist Studios 1 / 600 sf Bike 5% of retail auto req. | 91 res. (0.6/du.) 17 art. (25 req'd) 0 retail 108 total 20 Bike | Requested to locate all ret. parking in block A1. Requested for Artist Studios Conforming for Bike |
| Loading | 2201 | no requirement | None | Conforming | 2201 | Residential 1 55 ft. berth 1 200 sf platform 1 20 ft. space Retail 1 30 ft. berth 1 100 sf platform Artist Studios no requirement | Res. 1 55 ft. berth 1 200 sf platform 1 20 ft. space Retail 1 30 ft. berth 1 100 sf platform | Conforming |

* Square 3657, Lot 821 – a portion of Block C – is currently zoned C-1. For the purposes of this comparison chart, only C-M-1 is listed as the matter-of-right zone.

| | | | | | Block E | |
|-------------|----------------|---|----------------|---|--|--|
| Item | Section | R-4 | Section | C-2-B PUD | Proposed | Relief |
| Site Area | | | | | 52,711 sf | n/a |
| Res. FA | | | | | 162,270 sf | n/a |
| Retail FA | | | | | 23,100 sf | |
| Total FA | | | | | 185,370 sf | |
| Res. Units | | | | | 156 | n/a |
| Height | 400 | 40 ft., 3 stories | 2405.1 | 90 ft. | 70 ft., 6 stories | |
| FAR | 402 | No requirement | 2405.2 | 6.0 max. (2.0 max non-res.) | 3.1 residential 0.4 non-res. 3.5 total | Conforming |
| Lot Occ. | 403 | 60% | 772 | 80% (for res. floors) | 76.8 % 40,500 sf | Conforming |
| Rear Yard | 404 | 20 ft. | 774 | 15 ft. | 45 ft. (to CL of Lawrence St. per 774.11) | Conforming |
| Side Yard | 405 | If provided, 3 in. / ft. of height; not less than 8 ft. | 775 | If provided, 2 in. / ft. of height; not less than 6 ft. | 9'4" min. (11'8" req'd) | Required |
| Courts | 406 | 4 in. / ft. of height; not less than 10 ft. | 776 | 4 in. / ft. of height; not less than 15 ft. | Various | Conforming |
| Parking | 2101 | Residential 1 / du. Retail n/a Bike no requirement | 2101 | Residential 0.33 / du. Retail 1 / 750 sf above 3,000 Bike 5% of retail | 171 res. (1.1 / du.) 0 retail 171 total 40 Res. Bike 0 Retail Bike | Requested to locate all ret. parking in block A1. Relief Required for Retail Bike |
| Loading | 2201 | No requirement for single family | 2201 | Residential 1 55 ft. berth 1 200 sf platform 1 20 ft. space Retail 2 30' berths 2 100 sf platforms 1 20' space | Residential 1 55 ft. berth 1 200 ft. platform 1 20 ft. space Retail 1 30' berth 1 100 sf platform | Conforming Required |

| | | | | | Block A2 | |
|---|----------------|---|----------------|---|--|------------------|
| Item | Section | D / R-5-A | Section | R-5-B PUD | Proposed | Relief |
| Site Area | | | | | 93,079 sf | n/a |
| Res. FA | | | | | 84,111 sf | n/a |
| Res. Units | | | | | 45 | n/a |
| Height | 400 | 40 ft., 3 stories | 2405.1 | 60 ft. | 54' max. | Conforming |
| Lot Area (individual lots) | 401 | "As prescribed by the Board..." | 401 | none prescribed | 673 sf min. 1824 sf max. | Conforming |
| Lot Width (individual lots) | 401 | "As prescribed by the Board..." | 401 | none prescribed | 14' min. 23' max. | Conforming |
| FAR (entire block) | 402 | 0.9 | 2405.2 | 3.0 | 0.9 (incl. streets) 1.7 (w/o streets) | Conforming |
| FAR (per individual lot) | 402 | 0.9 | 2405.2 | 3.0 | 3.3 max. | Requested |
| Lot Occ. (entire block) | 403 | 40% | 403 | 60% | 32% | Conforming |
| Lot Occ. (per individual lot) | 403 | 40% | 403 | 60% | 99% max. | Requested |
| Rear Yard | 404 | 20 ft. | 404 | 4 in. / ft. of height; not less than 15 feet. | 2' min. | Requested |
| Side Yard | 405 | If provided, 3 in. / ft. of height; not less than 8 ft. | 405 | If provided, 3 in. / ft. of height; not less than 8 ft. | 5' provided on two lots | Requested |
| Front Yard (b/c lots front on private streets) | | | 2516.5(b) | "equivalent...to the required rear yard" | 4' min. | Required |
| Courts | 406 | 4 in. / ft. of height; not less than 6 ft. | 406 | 4 in. / ft. of height; not less than 6 ft. | Various | Conforming |
| Parking | 2101 | 1 / du. | 2101 | 1 / du. | 64 spaces | Conforming |
| Loading | 2201 | no requirement for single family | | | None | n/a |